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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,057	09/08/2003	Naoyuki Sato	SONY-26200	5505

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EXAMINER	
CHEA, PHILIP J	

ART UNIT	PAPER NUMBER
2453	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/658,057	SATO, NAOYUKI	
	Examiner	Art Unit	
	PHILIP J. CHEA	2453	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 June 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-33 and 35-41* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-33 and 35-41* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This Office Action is in response to an Amendment filed June 30, 2008. Claims 1-33,35-41 are currently pending. Any rejection not set forth below has been overcome by the current Amendment.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-33,35-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stewart (US 2002/0173981), herein referred to as Stewart, and further in view of Brauel et al. (US 2004/0002343), herein referred to as Brauel.

As per claims 33,1,9,14,21,28, Stewart discloses a network of devices, as claimed, comprising:

one or more access points to provide access to an internet site (see Fig. 1A, [120A-120B], *giving PCD [110A-110B], access to internet site [180])*;

one or more internet access systems, each capable of communicating with the one or more access points to access the internet site through one of the access points (see Fig. 1A [110A-110B], *showing internet access systems communicating with the access points to connect to the internet site [180])*;

an apparatus to provide the internet site and capable of being accessed through the one or more access points (see paragraph 35, *showing that the KGL website is comprised on a web server (i.e. apparatus to provide the internet site))* comprising:

a location table including a plurality of entries each having location information corresponding to an appropriate one of the access points (see paragraph 12, *describing how APs are arranged in geographic locations and may provide geographic location information regarding the location*

of the AP and that the AP transmits the location information to the system so that the user will receive location information from the website (see paragraph 47)); and

localized information database coupled to the location table to provide localized information based on the location information (see paragraph 47, *where localized information such as maps of the area or advertisements or services of business or nearby businesses)*,

wherein the location information is determined at that apparatus based on the location table (see paragraph 47, *describing how the KGL website (i.e. KGL web server) determines the access point location and "stored KGL information" correlated with that location to provide the location information, the stored information is considered the table)*.

Although the system disclosed by Stewart shows substantial features of the claimed invention (discussed above), and shows that an access point can be identified by it's MAC ID to look up location information in a database (see paragraph 84) it fails to disclose that the location table includes a plurality of entries having a network address corresponding to one of the access points.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Stewart, as evidenced by Brauel.

In an analogous art, Brauel discloses a system for receiving location based services where a wireless device communicates over a plurality of access points to a communication server. Brauel also shows a location table that includes a plurality of entries having a network address corresponding to an access point (see Fig. 2, *showing a location table with network addresses (see paragraph 11) corresponding to an access point)*.

Given the teaching of Brauel, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Stewart by employing a location table with network addresses corresponding to an access point, such as disclosed by Brauel, in order to identify the access point using it's network address and associate the access point address with it's location to provide location based services.

As per claims 2,10,15,22,29,36, Stewart in view of Brauel further discloses that the network address is an internet protocol address (see Brauel paragraph 24, *showing that the address is in*

*accordance with whatever communication protocol is used); since Stewart discloses using an IP network (*see paragraph 65)*, it is obvious that the address is an internet protocol address)*.

As per claims 3,16,23,37, Brauel further discloses generating an entry in the location table including the network address and the corresponding location information after receiving a first communication from one of the access points (see paragraph 25).

As per claims 4,17,24,38, Stewart further discloses obtaining the corresponding location information from the access point (see paragraph 12, *describing that the access point transmits the location information to the system*).

As per claims 5,18,25,39, Stewart further discloses that the localized information includes one or more of weather, news, traffic information and information regarding nearby points of interest (see paragraph 47 and paragraph 13).

As per claims 6,12,19,26,30,40, Stewart further discloses that the internet site is provided by an internet server (see paragraph 35).

As per claims 7,11,13,20,27,31,41, Stewart further discloses that the internet site is provided by the internet portal (see Fig. 4, *describing how the customer accesses the KGL website (i.e. portal) to receive KGL services (i.e. known geographic location services)* and paragraph 13*)*.

As per claim 8, Stewart further discloses that the localized information is obtained from a localized information database (see paragraph 84).

As per claim 32, Stewart further discloses that the location information is a physical location of the access point (see paragraph 34).

As per claim 35, Stewart further discloses that the one or more internet access systems are one or more of a portable computer, a cellular telephone and a personal digital assistant device (see paragraph 41).

Response to Arguments

3. Applicant's arguments filed June 30, 2008 have been fully considered but they are not persuasive.

A) Applicant contends that Stewart does not teach a method of generating a location table corresponding to the network address and location of access points for a first communication from each of the access points and does not teach providing localized information obtained from a localized information database.

In considering A), the Examiner partially agrees. The Examiner believes that Stewart does teach a location table including a plurality of entries each having location information corresponding to an appropriate access point, but does not disclose entries of network addresses. However, in the Office Action, Brauel was used to make up for the deficiency of the location table including a plurality of entries having a network address corresponding to one of the access points in Fig. 2 and paragraph 11 of Brauel. Stewarts teaching of a location table with entries of location information can be found in paragraph 47, where Stewart describes how the KGL web site i.e. apparatus comprising the location table, uses KGL information i.e. physical location information, to provide KGL based services to the customer, such as maps of the area local to the business, or discounts for good or services of the business. In this case, the localized information obtained from a localized information database is provided by the businesses themselves. Paragraph 47 says that KGL information may be stored on the server i.e. localized information database, that the businesses provided. The claim does not clearly state that the information in the localized information database can't come from the businesses. Applicant has also argued that Stewart does not teach that access points transmit network address and location information upon the first communication from each access point. Stewart shows that the access points transmit location information in paragraph 47, describing how "the KGL information may be determined by correlating the access point (AP) 120 with the stored KGL information". As discussed above the KGL information pertains to the physical location information. Stewart also discloses transmitting an address such as a MAC ID to the system (see paragraph 84). Furthermore, since Brauel discloses storing network addresses in a location table (see paragraph 25) and that the access points store their own network addresses (see paragraph 24), it would be obvious that the network address can be transmitted instead of the MAC ID. In considering this

being done upon the first communication from each access point, it is not clearly claimed that before any communication from the access point, that this is the first communication.

B) Applicant contends that Brauel does not teach that the location information is determined at an internet portal for a device based on the location table or that a controller within an apparatus providing an internet site, determines the location information based on the location table.

In considering B), the Examiner partially agrees. The Examiner did not use Brauel to teach location information determined at an internet portal for a device. Brauel was merely used to show that a location table could contain a network address and a location of an access point. The system i.e. controller within an apparatus, of Stewart was used to show that an internet site i.e. KGL web site, could provide localized services to wireless subscribers based on the location of the access point i.e. local business information. Since Brauel was used to teach a location table with network address and location of access points to be used for looking up location based services, the Examiner believes it would be obvious to one of ordinary skill in the art at the time of the invention to have the KGL web site keep location information and network addresses of the access points, to offer KGL services to wireless devices that come within range of the access points.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHILIP J. CHEA whose telephone number is (571)272-3951. The examiner can normally be reached on M-F 6:30-4:00 (1st Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Philip J Chea
Examiner
Art Unit 2453

PJC 9/30/08

/ARIO ETIENNE/
Supervisory Patent Examiner, Art Unit 2457